

**IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**

**In re: PAUL ANDREW REICHER JR**

**Case No.: 24-41494-btf-13**

**Debtor**

**MOTION TO DENY CONFIRMATION OF PLAN**

COMES NOW Richard V. Fink, Chapter 13 Trustee, and requests the court deny confirmation of the proposed plan (document #20), filed on or about December 02, 2024. In support thereof, the trustee states that the issues related to the proposed plan include:

1. 11 U.S.C. Section 521(e)(2)(A)(i):

The trustee has not received the most recently filed income tax return, or an affidavit attesting that the filing of tax returns is not required.

2. 11 U.S.C. Section 1322(a)(1):

The proposed plan payment is not sufficient to pay the equal monthly payments (EMAs) to creditors, administrative fees and attorney fees.

3. 11 U.S.C. Section 1322(d):

The plan as proposed runs over 99 months based on currently available information.

4. 11 U.S.C. Section 1325(a)(9):

a. The Internal Revenue Service has filed a Proof of Claim indicating that tax returns for 2020, 2021, 2022 and 2023 have not been filed.

b. The Missouri Department of Revenue has filed a motion to dismiss the case for failure to file 2021, 2022 and 2023 state returns.

5. Objection to Confirmation by Creditor Pending:

Equity Prime Mortgage LLC has a pending objection to confirmation of the plan.

WHEREFORE, the Chapter 13 Trustee moves the Court for an Order Denying Confirmation of the proposed plan.

December 26, 2024

Respectfully submitted,

/s/ Richard V. Fink, Trustee

Richard V. Fink, Trustee  
2345 Grand Blvd., Ste. 1200  
Kansas City, MO 64108-2663  
(816) 842-1031

**NOTICE OF MOTION**

**Any response to the motion must be filed within twenty-one (21) days of the date of this notice (subject to an extension pursuant to Federal Rule of Bankruptcy Procedure 9006) with the Clerk of the United States Bankruptcy Court.**

Documents can be filed electronically at <http://ecf.mowb.uscourts.gov>. A copy of such response shall be served electronically by the Court on the Chapter 13 Trustee and all other parties to the case who have registered for electronic filing. Parties not represented by an attorney may mail a response to the Court at the address below. If a response is timely filed, the Court will either rule the matter based on the pleadings, or set the matter for a hearing. If a hearing is to be held, notice of such hearing will be sent to all parties in interest. **If no response is filed within twenty-one (21) days (subject to an extension pursuant to Federal Rule of Bankruptcy Procedure 9006), the Court will enter an Order denying confirmation of the plan.** For information about electronic filing, go to <http://www.mow.uscourts.gov>. If you have any questions about this document, contact your attorney.

Court Address: U.S. Bankruptcy Court, 400 E. 9th St., Room 1510, Kansas City, MO 64106

**NOTICE OF SERVICE**

The following parties will be served either electronically or by United States First Class Mail. If any party is served by United States First Class Mail a certificate of service will be filed thereafter:

LEGAL AID OF WESTERN MISSOURI (216) - ATTORNEY FOR DEBTOR(S)

/s/ Richard V. Fink, Trustee

DME /Motion - Deny Confirmation